

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF GUAM**

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO. 07-00009-001
)	
Plaintiff,)	
)	INFORMATIONAL REPORT
vs.)	
)	
HYO JIN PACK,)	
)	
Defendant.)	
_____)	

Re: Release of Passport.

On November 16, 2006, Hyo Jin Pack made an Initial Appearance in Criminal Case 06-00050 before Magistrate Judge Joaquin V. E. Manibusan, Jr. on a Complaint which charged her with Attempted Marriage Fraud, in violation of 8 U.S.C. §1325(c). Ms Pack was granted pretrial release with conditions.

On December 4, 2006, an Information was filed in Criminal Case 07-00009 against Hyo Jin Pack which charged her with Conspiracy to Commit Marriage Fraud, in violation of 18 U.S.C. §371. In light of the Information filed, the Complaint in Criminal Case 06-00050 was dismissed without prejudice on December 5, 2006. On December 7, 2006, Ms. Pack made an Initial Appearance on the Information and entered a guilty plea. The Information and Plea were subsequently dismissed pursuant to an Indictment in this matter. A plea of guilty to the Indictment was entered on February 27, 2007, and sentencing is set for May 29, 2007. The Court continued Ms. Pack's release on previously ordered conditions.

Hyo Jin Pack's release conditions included the surrendering of her passport to the Clerk of Court, District Court of Guam, which was in the custody of the Bureau of Immigration and Customs Enforcement (ICE). On February 28, 2007, this Officer spoke with ICE Special Agent John Duenas, who indicated that he would obtain the passport and surrender it to the Court.

INFORMATIONAL REPORT

Release of Passport

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On May 8, 2007, the District Court granted Ms. Pack's request for the release of her passport for the purpose of obtaining a work permit, and authorized the U.S. Probation Office to release her passport for a one-week period, beginning May 11, 2007 through May 18, 2007. She was instructed to return the passport to the U.S. Probation Office no later than 3:00 p.m. on May 18, 2007. On May 15, 2007, Ms. Pack reported to the U.S. Probation Office to retrieve her passport, however, the U.S. Probation Office was not in possession of this document. A check with the District Court Clerks Office revealed that the passport was never surrendered as ordered. According to ICE Task Force Agent Erwin Fejeran, the ICE Detention and Removal Office is in possession of Ms. Pack's passport and will not release the passport to her due to her immigration status. Instead, a certified copy of the passport will be provided. Additional information received is that Ms. Pack's status as an "overstay" prohibits the issuance of a work permit.

Respectfully submitted,

FRANK MICHAEL CRUZ
Chief U.S. Probation Officer

By:



/s/ JUDY ANNE L. OCAMPO
U.S. Probation Officer

Reviewed by:



/s/ ROSSANNA VILLAGOMEZ-AGUON
U.S. Probation Officer
Supervision Unit Leader

cc: Karon Johnson, AUSA
Peter C. Perez, Defense Counsel
File